

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

UNITED STATES OF AMERICA)
)
vs.) CR. NO. 2:12-CR-20-MHT
)
CHIQUITA SMITH)

ORDER

Upon consideration of the *Defendant's Motion to Continue Change of Plea hearing* (Doc. #24) filed on April 26, 2012, and for good cause, it is

ORDERED that the Motion to Continue be and is hereby **GRANTED**. The Change of Plea hearing now set for **April 30, 2012** is hereby **CONTINUED** to **May 2, 2012 at 11:00 a.m., in Courtroom 4-B**, at the United States Courthouse Complex, One Church Street, Montgomery, Alabama. It is further

ORDERED that the government shall provide to the court a copy of any plea agreement not less than two hours prior to the time set for the change of plea proceeding.

The Clerk is **DIRECTED** to provide a court reporter for this proceeding. The United States Marshal or the person having custody of the defendant shall produce the defendant for the proceeding.

Counsel for the defendant is **DIRECTED** to confer with the defendant prior to the proceeding set in this order and (1) advise the defendant about the Sentencing Guidelines and that while the Sentencing Guidelines are no longer mandatory the Guidelines remain an important factor which the court will consider in determining a reasonable sentence;

(2) advise the defendant that in addition to the Guidelines, in determining a reasonable and appropriate sentence, the court will consider the sentencing factors set forth in 18 U.S.C. § 3553(a), and (3) explain to the defendant each of those factors specifically including (a) the nature and circumstances of the offense and the history and characteristics of the defendant; (b) the need to reflect the seriousness of the offense, to promote respect for the law, and to provide just punishment for the offense; (c) the need for deterrence; (d) the need to protect the public; (e) the need to provide the defendant with needed educational or vocational training or medical care; (f) the kinds of sentences available; (g) the need to avoid unwanted sentencing disparities; and (h) the need to provide restitution to victims.

Done this 27th day of April, 2012.

/s/ Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE